

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

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JOY REYES,

Plaintiff,

-against-

ORDER  
14-CV-0661 (JS) (GRB)

BOARD OF EDUCATION OF THE BELLMORE  
& MERRICK SCHOOL DISTRICT,

Defendant.

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APPEARANCES

For Plaintiff: Joy Reyes, pro se  
P.O. Box 550  
Merrick, NY 11566

For Defendant: No appearance

SEYBERT, District Judge:

By Memorandum and Order dated March 24, 2014, the Court dismissed the Complaint brought by Ellen Reyes ("Reyes"), as parent and natural guardian of Joy Reyes ("Plaintiff"), without prejudice and with leave to file an amended complaint. (See March 24, 2014 Mem. & Order, Seybert, D.J.) Because Reyes, a non-attorney parent, cannot represent her adult daughter in this case, Reyes and Plaintiff were advised that in order to proceed with their claims, brought pursuant to the Individuals with Disabilities Education Act, 20 U.S.C. § 1400 et. seq., ("IDEA"), against the Board of Education of the Bellmore and Merrick School District ("Defendant"), Plaintiff must complete and file her own application to proceed in forma pauperis.<sup>1</sup> (See March 24, 2014 Mem. & Order,

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<sup>1</sup> The Court granted Reyes's application to proceed in forma pauperis in the March 24, 2014 Memorandum and Order.

Seybert, D.J. at 7.) On April 28, 2014, Plaintiff filed an Amended Complaint naming herself as the sole Plaintiff but did not file an application to proceed in forma pauperis. Accordingly, Plaintiff is directed to file an application to proceed in forma pauperis within two (2) weeks from the date of this Order in order to proceed with her case. Plaintiff's failure to do so within the time allowed will lead to the dismissal of her claims without prejudice.

The Court certifies pursuant to 28 U.S.C. § 1915(a)(3) that any appeal from this Order would not be taken in good faith and therefore in forma pauperis status is DENIED for the purpose of any appeal. See Coppedge v. United States, 369 U.S. 438, 444-45, 82 S. Ct. 917, 8 L. Ed. 2d 21 (1962).

The Clerk of the Court is directed to mail a copy of the Memorandum and Order to the pro se Plaintiff.

SO ORDERED.

/s/ JOANNA SEYBERT  
Joanna Seybert, U.S.D.J.

Dated: May 19, 2014  
Central Islip, NY